

RECEIVED  
CENTRAL FAX CENTER

JUN 23 2006

**NIKOLAI & MERSEREAU, P.A.**  
**900 SECOND AVENUE SOUTH, SUITE 820**  
**MINNEAPOLIS, MN, U.S.A. 554023325**  
**Telephone: (612) 339-7461 Facsimile: (612) 349-6556**

**FACSIMILE TRANSMISSION****TO:**

**Name:** Jeremy Flemming  
**Firm:** USPTO  
**City:** State:

**Fax No.:** 703-273-8300**Country:** USA**FROM:**

**Name:** C. G. Mersereau **Fax No.:** (612) 349-6556  
**NIKOLAI & MERSEREAU, P.A., 900 Second Ave. S., #820, Minneapolis, MN 55402, U.S.A.**

**DATE:** June 23, 2006 **Time:** 10:46 a.m. **TOTAL PAGES incl. cover sheet:** 5

If you do not receive all pages, please call the Telecopier Operator at (612) 339-7461 ASAP.

This fax transmission is confidential and may be privileged and only is intended for use of the addressee.  
If you are not the addressee (or a person responsible for delivering this transmission to the addressee),  
do not use this transmission in any way, but promptly contact the telecopier operator by telephone at  
(612) 339-7461.

**Telecopier Operator:**

Barbara L. Davis

**MESSAGE:****BEST AVAILABLE COPY**

RECEIVED  
CENTRAL FAX CENTER

JUN 23 2006

PATENT APPLICATION

Our Docket No. 20030304.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Carter R. Anderson et al : June 23, 2006  
S.N. : 10/763,628 : Art Unit 1615  
Filed : January 23, 2004  
For : ABUSE POTENTIAL REDUCTION IN ABUSABLE  
SUBSTANCE DOSAGE FORM

-----  
**STATUS LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-entitled Patent Application was filed on January 23, 2004. A copy of the Filing Receipt is attached.

To date no Official Action on the merits has been received.

Please inform the undersigned attorney as to the status of this patent application.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau  
Attorneys for Applicant(s)  
Attorney Registration No. 26205  
820 International Centre  
900 Second Avenue South  
Minneapolis, MN 55402  
(612) 339-7461

Attachment

BEST AVAILABLE COPY

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Status Letter and a copy of the Filing Receipt in application Serial No. 10/763,628, filed on January 23, 2004, of Carter R. Anderson et al, entitled "ABUSE POTENTIAL REDUCTION IN ABUSABLE SUBSTANCE DOSAGE FORM" are being sent by facsimile transmission to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Jeremy Flemming, on June 23, 2006.



Barbara L. Davis  
Secretary to C. G. Mersereau  
Attorney for Applicant

Date of Signature: June 23, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/763,628	01/23/2004	1615	545	20030304.ORI	3	33	4

CONFIRMATION NO. 7719

23595  
NIKOLAI & MERSEREAU, P.A.  
900 SECOND AVENUE SOUTH  
SUITE 820  
MINNEAPOLIS, MN 55402

## FILING RECEIPT



\*OC000000012487999\*

REC'D MAY 08 2004

Date Mailed: 04/29/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Carter R. Anderson, Inver Grove Heights, MN;  
Russell L. Morris, Lindstrom, MN;

## Assignment For Published Patent Application

Birch Point Medical, Inc., Oakdale, MN;

## Domestic Priority data as claimed by applicant

## Foreign Applications

If Required, Foreign Filing License Granted: 04/29/2004

Projected Publication Date: 07/28/2005

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Abuse potential reduction in abusable substance dosage form

BEST AVAILABLE COPY

**Preliminary Class**

424

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).